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RUEHLO/AMEMBASSY LONDON PRIORITY 4264  
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C O N F I D E N T I A L KATHMANDU 002003

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SUBJECT: NEPAL PARLIAMENT POISED TO RATIFY ROME STATUTE

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

PARLIAMENT PASSES RESOLUTION TO JOIN INTERNATIONAL CRIMINAL COURT

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11. (C) On July 25 the House of Representatives unanimously passed a resolution directing the Government of Nepal (GON) to ratify the Rome Statute to become a member of the International Criminal Court. Deputy Prime Minister and Minister of Foreign Affairs K.P. Oli pledged that the GON would ratify the statute soon. The International Criminal Court has jurisdiction over the crime of genocide, crimes against humanity, war crimes, and the crime of aggression.

MP'S AND HUMAN RIGHTS ACTIVISTS APPLAUD RESOLUTION

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12. (C) Members of Parliament (MP) and Human Rights activists were very positive on Nepal's pending ratification of the Rome Statute. Ananda Prasad Dhungana, MP (Nepali Congress), told Emboff it was important to ratify the Rome Statute in order for Nepal to be a part of the global system. He added that the statute could help prevent the country from entering into a civil war. Noting that the former royal government had committed oppressive acts during the recent pro-democracy movement, Mahendra Bahadur Pandey, MP (CPN-UML), explained that the Rome Statute could provide a deterrent to such crimes against humanity happening again. Kundan Aryal, General Secretary of the human rights NGO the Informal Sector Service Center (INSEC), opined that the Rome Statute must have worried ultra leftists and rightists. He explained that the GON was not powerful enough to punish the King or the Army over abuses during the pro-democracy movement, but that the Statute would help safeguard democratic institutions from being attacked in the future. Baburam Giri, General Secretary of the Human Rights Organization of Nepal (HURON)

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said the Statute would stop both the Nepal and Maoist armies from carrying out heinous crimes.

COMMENT

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13. (C) The sense is that the GON wishes to ratify the Rome Statute to further its legitimacy to the international

community. While a few people we talked to referred to punishing the King and members of the former royal government, the Parliament resolution does not seem to have come about as a result of any GON intent to seek retribution.

Importantly, we have an Article 98 agreement with the GON, which presumably will prevent any attempts in Nepal to use the International Criminal Court as a vehicle to bash the United States. We plan to meet with the Ministry of Foreign Affairs in the coming days to warn the GON against any attempt to revoke the Article 98 agreement.

MORIARTY